

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

**TONY A. MESSER, ET AL.,**

Plaintiffs,

V.

**BRISTOL COMPRESSORS  
INTERNATIONAL, LLC,**

Defendant.

Case No. 1:18CV00040

## OPINION AND ORDER

JUDGE JAMES P. JONES

*Mary Lynn Tate, TATE LAW PC, Abingdon, Virginia, for Plaintiffs.*

In this class action alleging violations of the Worker Adjustment and Retraining Notification (“WARN”) Act, following my denial of defendant’s motions for summary judgment claiming it was exempted from giving employees the 60 days’ notice of termination required under the WARN Act, counsel for the defendant withdrew from representation at the defendant’s request. The defendant was given the opportunity to find substitute counsel but did not do so. On July 19, 2021, the court held a bench trial to determine liability and the amount of damages. No representative of the defendant appeared at the trial.

By Order entered following the trial I found that the defendant had violated the WARN Act and that 128 Class Members are owed damages as provided in 29

U.S.C. § 2104(a)(1)–(2). In addition, I found that the Class Members of Subclass Three are owed stay bonuses in the amount of \$1,000 each.

By Opinion and Order entered October 8, 2021, I found that the plaintiffs are entitled to payment for the workdays included in the 60 calendar days following their terminations without cause and without 60 days' notice. I further found that the Class Members are entitled to prejudgment interest from the date of their terminations. Plaintiffs have submitted damages calculations for Subclass One and Subclass Three based upon a Declaration of Thomas M. Hicok, CPA, CVA, CFFA, who qualified as an expert on such matters and testified at the trial. These calculations include prejudgment interest to October 29, 2021, for both Subclasses based on the federal statutory interest rate calculated from the Class Members' termination dates, compounded annually. I find it appropriate to use the calculations based on the federal statutory rates in effect at the time of the Class Members' terminations as contained in the Hicok Declaration Exhibits 3 and 4.

For the foregoing reasons, the Class Members of Subclass One shall be granted judgment against the defendant in the individual amounts shown on Hicok Declaration Exhibit 3. The Class Members of Subclass Three shall be granted judgment against the defendant in the individual amounts shown on Hicok Declaration Exhibit 4. The total amount of all individual damages and prejudgment

interest awarded is \$1,392,915.40. Exhibits 3 and 4 are appended to this Opinion and Order.

The court will accordingly hereafter enter judgments as described above. Upon entry of those judgments, Class Counsel may file within 21 days thereafter a motion for award of attorney's fees and non-taxable costs pursuant to Federal Rules of Civil Procedure 23(h) and 54(d)(2). In accord with Rule 54(d)(2)(B)(iv), the motion must disclose the terms of any agreement about fees for the services for which the claims were made.

It is so **ORDERED**.

ENTER: November 3, 2021

A handwritten signature in blue ink, appearing to read "Justin P. Jones", is written over a horizontal line.

Senior United States District Judge

Case No. 1:18-cv-00040-JPJ-PMS Messer et al v. Bristol Compressors International, LLC et al  
 Summary of WARN Act Covered Employees  
 As of July 31, 2018

## Exhibit 3

Subclass 1  
 Terminated without cause on their part between July 31, 2018,  
 and August 31, 2018.

Annual rate 2.42% compounded annually

	Last Name	First Name	Job Code	Term Date	Work Days	Rate of Pay	Pay Per Day	Daily Rate x Work Days	Interest Rate	Start Date	Days Through 10/29/2021	2.42% Interest fr. Start date - 10/29/2021	Total Interest & Payroll Claim
1	Bell	Delmer	1766 - Model Maker A	8/2/2018	42	\$ 26.1200	\$ 208.9600	\$ 8,776.32	2.42%	8/3/2018	1184	\$ 708.34	\$ 9,484.66
2	Bertrow	Phillip	1930 - Field Service Engineer	8/2/2018	42	\$ 27.0211	\$ 216.1688	\$ 9,079.08	2.42%	8/3/2018	1184	\$ 732.78	\$ 9,811.87
3	Bolton	George	2408 - DIR of Sourcing and Productivity	8/18/2018	43	\$ 60.0962	\$ 480.7698	\$ 20,673.09	2.42%	8/19/2018	1168	\$ 1,844.98	\$ 22,318.07
4	Booker	John	1702 - Sr. Psychrometric	8/2/2018	42	\$ 26.2513	\$ 210.0104	\$ 8,820.44	2.42%	8/3/2018	1184	\$ 711.90	\$ 9,532.34
5	Campbell	Kevin	4807 - MAINTENANCE A	8/2/2018	42	\$ 20.0000	\$ 160.0000	\$ 6,720.00	2.42%	8/3/2018	1184	\$ 542.38	\$ 7,262.38
6	Compton	Paula	1818 - ENGSYSTEMS ADMINISTRATOR	8/2/2018	42	\$ 24.0385	\$ 192.3080	\$ 8,076.94	2.42%	8/3/2018	1184	\$ 651.90	\$ 8,728.83
7	Douglas	Robert	1916 - SR. PRODUCT DESIGNER	8/2/2018	42	\$ 27.3244	\$ 218.5952	\$ 9,181.00	2.42%	8/3/2018	1184	\$ 741.01	\$ 9,922.00
8	Eades	Robert	2708 - VP, Quality and Reliability	8/2/2018	42	\$ 67.3077	\$ 538.4616	\$ 22,815.39	2.42%	8/3/2018	1184	\$ 1,825.31	\$ 24,440.69
9	Emerson	Ronnis	1766 - Model Maker A	8/2/2018	42	\$ 27.0488	\$ 216.3904	\$ 9,088.40	2.42%	8/3/2018	1184	\$ 733.53	\$ 9,821.93
10	Farmer	Delmer	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 22.7978	\$ 182.3824	\$ 7,860.06	2.42%	8/3/2018	1184	\$ 618.25	\$ 8,278.31
11	Gilliam	David	2302 - PRINCIPAL ENGINEER	8/2/2018	42	\$ 44.2982	\$ 354.3858	\$ 14,884.20	2.42%	8/3/2018	1184	\$ 1,201.31	\$ 16,085.51
12	Gross	Shawn	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 20.6400	\$ 165.1200	\$ 6,935.04	2.42%	8/3/2018	1184	\$ 559.73	\$ 7,494.77
13	Harlow	Jonathan	1803 - Cost Accountant	8/1/2018	42	\$ 24.0385	\$ 192.3080	\$ 8,076.94	2.42%	8/2/2018	1185	\$ 652.47	\$ 8,729.41
14	Heilon	David	1716 - SR. TEAM LEADER	8/2/2018	42	\$ 20.4539	\$ 211.6312	\$ 8,888.51	2.42%	8/3/2018	1184	\$ 717.40	\$ 9,605.91
15	Hemdon	Fred	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 20.0428	\$ 160.3424	\$ 6,734.38	2.42%	8/3/2018	1184	\$ 543.54	\$ 7,277.92
16	Hicks	Benjie	1701 - SENIOR TECHNICIAN	8/3/2018	42	\$ 22.3318	\$ 178.6544	\$ 7,503.48	2.42%	8/4/2018	1183	\$ 605.08	\$ 8,108.56
17	Hutton	William	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 23.8975	\$ 191.1800	\$ 8,029.56	2.42%	8/3/2018	1184	\$ 648.07	\$ 8,677.63
18	Leonard	Phillip	1916 - SR. PRODUCT DESIGNER	8/2/2018	42	\$ 23.1338	\$ 185.0704	\$ 7,772.96	2.42%	8/3/2018	1184	\$ 627.36	\$ 8,400.32
19	Lojk	Luka	2705 - Vice President, Mkt & Sales	8/3/2018	42	\$ 96.1539	\$ 789.2312	\$ 32,307.71	2.42%	8/4/2018	1183	\$ 2,605.28	\$ 34,912.99
20	Luttrell	Kendall	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 27.1814	\$ 217.4512	\$ 9,132.95	2.42%	8/3/2018	1184	\$ 737.13	\$ 9,870.08
21	Mathuro	Nishant	2302 - PRINCIPAL ENGINEER	8/2/2018	42	\$ 41.8269	\$ 334.6152	\$ 14,053.84	2.42%	8/3/2018	1184	\$ 1,134.30	\$ 15,188.13
22	Mays	Velma	2118 - Customer Service Systems	8/1/2018	42	\$ 32.1435	\$ 257.1480	\$ 10,800.22	2.42%	8/2/2018	1185	\$ 872.46	\$ 11,672.68
23	Messer	Tony	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 22.5250	\$ 180.2000	\$ 7,568.40	2.42%	8/3/2018	1184	\$ 610.85	\$ 8,179.25
24	Milhorn	Ronald	1766 - Model Maker A	8/2/2018	42	\$ 27.1388	\$ 217.1104	\$ 9,118.64	2.42%	8/3/2018	1184	\$ 735.97	\$ 9,854.61
25	Mempower	Kevin	2707 - V.P. DEVELOP ENGINEER	8/1/2018	42	\$ 76.3822	\$ 611.0576	\$ 25,664.42	2.42%	8/2/2018	1185	\$ 2,073.22	\$ 27,737.64

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Subclass 1  
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 and August 31, 2018.

Annual rate 2.42% compounded annually

	Last Name	First Name	Job Code	Term Date	Work Days	Rate of Pay	Pay Per Day	Daily Rate x Work Days	Interest Rate	Start Date	Days Through 10/29/2021	2.42% Interest fr. Start date - 10/29/2021	Total Interest & Payroll Claim
26	Murray	Darrell	1716 - SR. TEAM LEADER	8/2/2018	42	\$ 26.5687	\$ 212.5496	\$ 8,927.08	2.42%	8/3/2018	1184	\$ 720.51	\$ 9,647.59
27	Nelson	Robert	4561 - Floor Scubber	8/2/2018	42	\$ 17.7138	\$ 141.7104	\$ 5,951.84	2.42%	8/3/2018	1184	\$ 480.38	\$ 6,432.21
28	Newland	Joseph	2211 - SR. PROJECT ENGINEER	8/2/2018	42	\$ 32.8280	\$ 263.4240	\$ 11,063.81	2.42%	8/3/2018	1184	\$ 892.97	\$ 11,956.78
29	Paolucci	Amy	1503 - Admin Asst. (Floating)	8/1/2018	42	\$ 18.0001	\$ 144.0008	\$ 6,048.03	2.42%	8/2/2018	1185	\$ 488.57	\$ 6,536.61
30	Parker	Michael	2072 - Engineering Lab Manager	8/18/2018	43	\$ 30.0000	\$ 240.0000	\$ 10,320.00	2.42%	8/19/2018	1168	\$ 821.17	\$ 11,141.17
31	Rust	Berry	2507 - Sales Consultant	8/3/2018	42	\$ 64.5248	\$ 516.1988	\$ 21,680.27	2.42%	8/4/2018	1183	\$ 1,748.29	\$ 23,428.55
32	Sharp	Daryl	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 23.3900	\$ 187.1200	\$ 7,859.04	2.42%	8/3/2018	1184	\$ 634.31	\$ 8,493.35
33	Sheets	David	1701 - SENIOR TECHNICIAN	8/2/2018	42	\$ 23.7513	\$ 190.0104	\$ 7,980.44	2.42%	8/3/2018	1184	\$ 644.11	\$ 8,624.54
34	Stewart	Charlotte	1816 - ENGSYSTEMS ADMINISTOR	8/2/2018	42	\$ 30.3546	\$ 242.8368	\$ 10,199.15	2.42%	8/3/2018	1184	\$ 823.18	\$ 11,022.33
35	Stillner	Dennis	1716 - SR. TEAM LEADER	8/2/2018	42	\$ 24.5818	\$ 196.6544	\$ 8,259.48	2.42%	8/3/2018	1184	\$ 666.63	\$ 8,926.11
36	Stovall	David	1766 - Model Maker A	8/2/2018	42	\$ 26.4299	\$ 211.4392	\$ 8,880.45	2.42%	8/3/2018	1184	\$ 716.75	\$ 9,597.19
37	Stringer	Hugh	2210 - Mgr of Design Services	8/2/2018	42	\$ 32.3044	\$ 258.4352	\$ 10,854.28	2.42%	8/3/2018	1184	\$ 876.06	\$ 11,730.34
38	Sweet	Nicholas	1905 - SUPERVISOR	8/2/2018	42	\$ 28.5745	\$ 228.5960	\$ 9,601.03	2.42%	8/3/2018	1184	\$ 774.91	\$ 10,375.94
39	Vestal	Charles	1712 - FACILITIES TECHNICIAN	8/19/2018	43	\$ 24.4340	\$ 195.4720	\$ 8,405.30	2.42%	8/19/2018	1168	\$ 688.82	\$ 9,074.11
40	Watts	Laura	1916 - SR. PRODUCT DESIGNER	8/2/2018	42	\$ 25.9511	\$ 207.6088	\$ 8,719.57	2.42%	8/3/2018	1184	\$ 703.76	\$ 9,423.33
41	Wampler	Timothy	2024 - Applied Engineer	8/2/2018	42	\$ 26.2944	\$ 210.3552	\$ 8,834.92	2.42%	8/3/2018	1184	\$ 713.07	\$ 9,547.99
42	Wolfenbarger	Christie	1720 - Special Projects	8/1/2018	42	\$ 24.0000	\$ 192.0000	\$ 8,064.00	2.42%	8/2/2018	1185	\$ 651.43	\$ 8,715.43
43	Worley	Ronnie	1719 - Sr. Sample Coordinator	8/2/2018	42	\$ 22.5937	\$ 180.7486	\$ 7,591.48	2.42%	8/3/2018	1184	\$ 612.71	\$ 8,204.20
44	Younce	Velma	1919 - Supply Chain Buyer	8/2/2018	42	\$ 14.0000	\$ 112.0000	\$ 4,704.00	2.42%	8/3/2018	1184	\$ 379.66	\$ 5,083.66
Total Owed								\$ 462,106.11				\$ 37,251.83	\$ 499,357.84

\* All employees listed terminated due to workforce reduction

## Exhibit 4

Subclass 3  
Terminated without cause on their part after August 31, 2018.

Case No. 1:18-cv-00040-JPJ-PMS Messer et al. v. Bristol Compressors International, LLC et al  
Summary of WARN Act Covered Employees  
As of July 31, 2018 -

Annual rate 2.73% compounded annually

	Last Name	First Name	Job Code	Term Date	Work Days	Rate of Pay	Pay Per Day	Daily Rate x Work Days	Interest Rate	Start Date	Days Through 10/29/2021	Daily Interest	2.42% Interest fr. start date - 10/29/2021	Total Interest & Payroll Claim	Stay Bonus Due	2.42% Interest fr. start date - 10/29/2021	Total Stay Bonus & Interest Due	Grand Total Due to Employees
1	Adams	Daniel	1871 - Marketing & Sales Analyst	9/29/2018	43	\$ 21,7500	\$ 174.0000	\$ 7,482.00	2.73%	9/30/2018	1128	\$ 0.58	\$ 646.48	\$ 8,130.48	\$ 1,000.00	\$ 88.67	\$ 1,088.67	\$ 9,217.15
2	Amburgey	Jimmy	4813 - BORE OPERATOR CONROD	11/10/2018	43	\$ 20.6100	\$ 160.0900	\$ 6,863.44	2.73%	11/11/2018	1084	\$ 0.51	\$ 573.31	\$ 7,436.75	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,540.04
3	Ashley	Angela	4553 - SUBMERGED TANK LEAK	11/16/2018	42	\$ 16.8231	\$ 134.5848	\$ 5,852.58	2.73%	11/17/2018	1078	\$ 0.42	\$ 456.11	\$ 6,120.67	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 7,203.49
4	Booth	Darrell	1907 - Process Supervisor	11/9/2018	42	\$ 30.1760	\$ 241.4080	\$ 10,130.14	2.73%	11/10/2018	1085	\$ 0.76	\$ 845.27	\$ 10,984.40	\$ 1,000.00	\$ 83.37	\$ 1,083.37	\$ 12,067.77
5	Booth	Dave	4831 - LATHE SOFT SHAFTS	11/10/2018	43	\$ 18.7820	\$ 150.2560	\$ 6,481.01	2.73%	11/11/2018	1084	\$ 0.48	\$ 536.12	\$ 6,999.13	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 8,082.42
6	Booth	Glen	1907 - Process Supervisor	11/10/2018	43	\$ 38.3878	\$ 280.9424	\$ 12,510.52	2.73%	11/11/2018	1084	\$ 0.94	\$ 1,041.98	\$ 13,552.50	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 14,635.79
7	Booth	Glen	1508 - QUALITY ENGINEER TECH	11/10/2018	43	\$ 21.1111	\$ 168.8888	\$ 7,282.22	2.73%	11/11/2018	1084	\$ 0.54	\$ 604.86	\$ 7,887.07	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,950.36
8	Booth	Joanne	4831 - LATHE SOFT SHAFTS	11/10/2018	43	\$ 18.1200	\$ 144.9600	\$ 6,233.28	2.73%	11/11/2018	1084	\$ 0.47	\$ 519.16	\$ 6,752.44	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 7,835.73
9	Browning	David	4500 - Forklift Operator	11/10/2018	43	\$ 18.2599	\$ 145.0792	\$ 6,231.41	2.73%	11/11/2018	1084	\$ 0.47	\$ 523.17	\$ 6,804.57	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 7,887.86
10	Carmack	Summer	4614 - GRINDER HARD SHAFTS	11/10/2018	43	\$ 17.1431	\$ 137.1448	\$ 5,897.23	2.73%	11/11/2018	1084	\$ 0.44	\$ 491.17	\$ 6,388.39	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 7,471.68
11	Church	William	4512 - INDEX DRILL CYLINDER HEADS	11/10/2018	43	\$ 17.5461	\$ 140.3688	\$ 6,038.86	2.73%	11/11/2018	1084	\$ 0.46	\$ 502.71	\$ 6,538.57	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 7,621.86
12	Clark	Melvin	4513 - INDEX DRILL VALVE PLATES	11/10/2018	43	\$ 19.4221	\$ 155.3768	\$ 6,681.20	2.73%	11/11/2018	1084	\$ 0.50	\$ 556.46	\$ 7,237.67	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 8,320.95
13	Cody	Kim	4551 - BLK POK HOOK AND OVERHEAD	11/10/2018	42	\$ 18.0508	\$ 144.4064	\$ 6,065.07	2.73%	11/11/2018	1078	\$ 0.46	\$ 502.27	\$ 6,567.34	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 7,650.16
14	Cole	Danell	4718 - Aluminum Piston Lathes	11/10/2018	42	\$ 22.1400	\$ 177.1200	\$ 7,439.04	2.73%	11/11/2018	1078	\$ 0.56	\$ 616.08	\$ 8,055.10	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 9,137.91
15	Combs Jr.	Charles	4802 - TOOL CUTTER GRINDER A	11/10/2018	43	\$ 25.8750	\$ 207.0000	\$ 8,901.00	2.73%	11/11/2018	1084	\$ 0.67	\$ 741.35	\$ 9,642.35	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 10,725.63
16	Daugherty	Joyce	4813 - BORE OPERATOR CONROD	11/10/2018	42	\$ 19.3894	\$ 155.1152	\$ 6,514.84	2.73%	11/11/2018	1078	\$ 0.49	\$ 539.52	\$ 7,054.36	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 8,137.17
17	Davis	Alesie	1803 - Production Planner	11/21/2018	42	\$ 26.3365	\$ 202.9920	\$ 8,513.08	2.73%	11/22/2018	1073	\$ 0.54	\$ 701.64	\$ 9,214.71	\$ 1,000.00	\$ 62.42	\$ 1,082.42	\$ 10,297.13
18	Dickson	Vanessa	2215 - HR Manager	11/21/2018	42	\$ 38.1152	\$ 288.9216	\$ 12,134.71	2.73%	11/22/2018	1073	\$ 0.91	\$ 1,000.14	\$ 13,134.85	\$ 1,000.00	\$ 62.42	\$ 1,082.42	\$ 14,217.27
19	Dowell	Jamie	1807 - Process Supervisor	11/10/2018	43	\$ 28.0848	\$ 231.0792	\$ 9,936.41	2.73%	11/11/2018	1084	\$ 0.74	\$ 827.58	\$ 10,763.99	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 11,847.28
20	Eads	Paula	4808 - GARDNER GRINDER VALVE PLATES	11/10/2018	42	\$ 20.2622	\$ 162.0976	\$ 6,808.10	2.73%	11/11/2018	1078	\$ 0.51	\$ 563.81	\$ 7,371.91	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 8,454.72
21	Eaton	Samuel	1908 - Maintenance Supervisor	11/21/2018	42	\$ 33.6539	\$ 259.2312	\$ 11,307.71	2.73%	11/22/2018	1073	\$ 0.85	\$ 931.98	\$ 12,239.69	\$ 1,000.00	\$ 62.42	\$ 1,082.42	\$ 13,322.11
22	Espey	David	4560 - Robotic Deburr Cell	11/16/2018	42	\$ 18.9641	\$ 135.7128	\$ 5,699.94	2.73%	11/17/2018	1078	\$ 0.43	\$ 472.04	\$ 6,171.97	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 7,254.79
23	Evans	Timothy	4807 - MAINTENANCE A	11/16/2018	42	\$ 25.7039	\$ 205.6312	\$ 8,536.51	2.73%	11/17/2018	1078	\$ 0.65	\$ 715.23	\$ 9,251.74	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 10,334.55
24	Fields	Robert	2009 - SR SUPERVISOR MATERIALS	11/21/2018	42	\$ 30.2885	\$ 242.3080	\$ 10,176.94	2.73%	11/22/2018	1073	\$ 0.78	\$ 836.78	\$ 11,015.72	\$ 1,000.00	\$ 62.42	\$ 1,082.42	\$ 12,098.14
25	Fischer	Jay	2414 - Process Engineer Director	11/21/2018	42	\$ 53.7139	\$ 429.7112	\$ 18,047.87	2.73%	11/22/2018	1073	\$ 1.35	\$ 1,487.50	\$ 19,535.37	\$ 1,000.00	\$ 62.42	\$ 1,082.42	\$ 20,617.79
26	Foster	James	4808 - GARDNER GRINDER VALVE PLATES	11/16/2018	42	\$ 20.3415	\$ 162.7320	\$ 6,834.74	2.73%	11/17/2018	1078	\$ 0.61	\$ 656.01	\$ 7,490.78	\$ 1,000.00	\$ 62.81	\$ 1,082.81	\$ 8,483.57
27	Fraley	Dennis	4518 - HIGH PRES WASH ALUMCO	11/10/2018	43	\$ 18.2400	\$ 145.9200	\$ 6,274.56	2.73%	11/11/2018	1084	\$ 0.47	\$ 522.60	\$ 6,797.16	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 7,880.44
28	Frazier	Roger	4706 - CRANKCASE OPERATOR A	11/10/2018	43	\$ 21.2110	\$ 169.6880	\$ 7,296.58	2.73%	11/11/2018	1084	\$ 0.55	\$ 607.72	\$ 7,904.30	\$ 1,000.00	\$ 63.29	\$ 1,083.29	\$ 8,987.59

Subclass 3  
Terminated without cause on their part after August 31, 2018.

Case No. 1:18-cv-00040-JPJ-PMS Messer et al v. Bristol Compressors International, LLC et al  
Summary of WARN Act Covered Employees  
As of July 31, 2018

Annual rate 2.75% compounded annually

	Last Name	First Name	Job Code	Term Date	Work Days	Rate of Pay	Pay Per Day	Daily Rate x Work Days	Interest Rate	Start Date	Days Through 10/29/2021	Daily Interest	2.42% Interest fr. start date = 10/29/2021	Total Interest & Payroll Claim	Slay Bonus Due	2.42% Interest fr. start date = 10/29/2021	Total Slay Bonus & Interest Due	Grand Total Due to Employees
29	Gibson	Connie	1907 - Process Supervisor	11/21/2018	42	\$ 30.0219	\$ 240.1752	\$ 10,087.38	2.73%	11/22/2018	1073	\$ 0.75	\$ 831.40	\$ 10,918.76	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 12,001.17
30	Harris	Paul	4708 - CRANKCASE OPERATOR A	11/10/2018	43	\$ 19.8050	\$ 159.2400	\$ 6,847.32	2.73%	11/11/2018	1084	\$ 0.51	\$ 570.30	\$ 7,417.62	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,500.91
31	Harrison	Calvin	4810 - BORE OPERATOR CONROD	11/10/2018	43	\$ 21.4633	\$ 171.7084	\$ 7,383.38	2.73%	11/11/2018	1084	\$ 0.55	\$ 614.95	\$ 7,998.32	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,081.61
32	Hayden	Curtis	4814 - GRINDER HARD SHAFTS	11/10/2018	43	\$ 18.6871	\$ 149.4968	\$ 6,426.36	2.73%	11/11/2018	1084	\$ 0.48	\$ 535.41	\$ 6,963.77	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,047.06
33	Hellon	Penny	4511 - KEY WAY MILL	11/15/2018	42	\$ 16.1528	\$ 129.2224	\$ 5,427.34	2.73%	11/17/2018	1078	\$ 0.41	\$ 448.48	\$ 5,876.80	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 6,959.62
34	Hicks	Tommy	2019 - Strategic Supply Buyer II - Equipment	9/28/2018	43	\$ 36.9591	\$ 295.8728	\$ 12,713.93	2.73%	9/30/2018	1126	\$ 0.95	\$ 1,101.92	\$ 13,815.85	\$ 1,000.00	\$ 88.67	\$ 1,088.67	\$ 14,902.52
35	Hinkle	Roger	1905 - SUPERVISOR	11/21/2018	42	\$ 36.2200	\$ 289.7600	\$ 12,169.92	2.73%	11/22/2018	1073	\$ 0.91	\$ 1,003.04	\$ 13,172.96	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 14,255.38
36	Hobbs	Gaylord	4814 - GRINDER HARD SHAFTS	11/10/2018	43	\$ 18.5441	\$ 148.3528	\$ 6,379.17	2.73%	11/11/2018	1084	\$ 0.48	\$ 531.31	\$ 6,910.48	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 7,993.77
37	Horne	Jeffery	2212 - Business Development	9/14/2018	42	\$ 39.4231	\$ 315.3848	\$ 13,249.16	2.73%	9/15/2018	1141	\$ 0.99	\$ 1,164.16	\$ 14,410.32	\$ 1,000.00	\$ 87.89	\$ 1,087.89	\$ 15,498.20
38	Hubbard	Sherie	4810 - Bore Operator Cope Bearings	11/16/2018	42	\$ 18.7090	\$ 149.6720	\$ 6,289.22	2.73%	11/17/2018	1078	\$ 0.47	\$ 520.59	\$ 6,808.81	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 7,893.93
39	Huffman	James	2202 - SR. MANUF ENGINEER	11/21/2018	42	\$ 42.3077	\$ 338.4616	\$ 14,215.39	2.73%	11/22/2018	1073	\$ 1.08	\$ 1,171.83	\$ 15,387.01	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 16,469.43
40	Hutton	Steven	2200 - Logistics Manager	11/21/2018	42	\$ 37.5808	\$ 303.8484	\$ 12,781.55	2.73%	11/22/2018	1073	\$ 0.95	\$ 1,051.80	\$ 13,813.35	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 14,895.77
41	Hutton	Tammy	1870 - Purchasing MRO Coordinator	11/21/2018	42	\$ 23.8213	\$ 196.5704	\$ 8,003.96	2.73%	11/22/2018	1073	\$ 0.60	\$ 659.88	\$ 8,663.84	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 9,746.28
42	Irle	Dave	1907 - Process Supervisor	11/21/2018	42	\$ 30.8505	\$ 240.4040	\$ 10,098.97	2.73%	11/22/2018	1073	\$ 0.76	\$ 832.19	\$ 10,929.16	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 12,011.58
43	Johnson	Albert	4706 - CRANKCASE OPERATOR A	11/10/2018	43	\$ 22.6820	\$ 181.4560	\$ 7,802.61	2.73%	11/11/2018	1084	\$ 0.58	\$ 649.88	\$ 8,452.47	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,535.76
44	Johnson	Greg	2314 - SR BUS. DEVELOPMENT	11/21/2018	42	\$ 48.6478	\$ 373.1824	\$ 15,873.68	2.73%	11/22/2018	1073	\$ 1.17	\$ 1,291.82	\$ 16,965.48	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 18,047.90
45	Jones	Keith	4708 - CRANKCASE OPERATOR A	11/16/2018	42	\$ 20.2500	\$ 162.0000	\$ 6,804.00	2.73%	11/17/2018	1078	\$ 0.51	\$ 563.47	\$ 7,367.47	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 8,450.28
46	Kestner	Leslie	2434 - Operations Manager	9/29/2018	43	\$ 45.5795	\$ 384.8360	\$ 15,679.35	2.73%	9/30/2018	1126	\$ 1.17	\$ 1,358.83	\$ 17,038.28	\$ 1,000.00	\$ 88.67	\$ 1,088.67	\$ 18,124.95
47	Lane	Jerry	1907 - Process Supervisor	11/21/2018	42	\$ 36.3684	\$ 290.9472	\$ 12,219.78	2.73%	11/22/2018	1073	\$ 0.91	\$ 1,007.15	\$ 13,228.93	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 14,309.35
48	Leonard	Michael	4921 - HOUSING OPERATOR	11/10/2018	43	\$ 20.5090	\$ 164.0720	\$ 7,055.10	2.73%	11/11/2018	1084	\$ 0.53	\$ 587.80	\$ 7,642.70	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,725.99
49	Lowe	Gard	4500 - Forklift Operator	11/16/2018	42	\$ 18.3848	\$ 151.0784	\$ 6,345.28	2.73%	11/17/2018	1078	\$ 0.47	\$ 525.48	\$ 6,870.77	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 7,953.59
50	Martin	Mandy	4505 - Forklift and Cycle Counter	11/3/2018	43	\$ 17.6301	\$ 141.0408	\$ 8,064.75	2.73%	11/4/2018	1081	\$ 0.45	\$ 508.47	\$ 6,573.23	\$ 1,000.00	\$ 83.84	\$ 1,083.84	\$ 7,657.07
51	Maxfield	Stewart	4919 - HIGH PRES WASH ALMCO	11/10/2018	43	\$ 20.4350	\$ 163.4850	\$ 7,029.64	2.73%	11/11/2018	1084	\$ 0.53	\$ 585.48	\$ 7,615.12	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,698.41
52	Mays	Danny	2139 - Project Associate Engineer	11/21/2018	42	\$ 35.8888	\$ 288.9344	\$ 12,061.24	2.73%	11/22/2018	1073	\$ 0.90	\$ 993.28	\$ 13,044.50	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 14,126.82
53	Mays	Mark	2409 - DIRECTOR, MANUFACTURING	11/21/2018	42	\$ 48.0789	\$ 384.6312	\$ 16,153.84	2.73%	11/22/2018	1073	\$ 1.21	\$ 1,331.39	\$ 17,485.23	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 18,567.65
54	McClain	David	4719 - Aluminum Piston Lath	11/16/2018	42	\$ 21.2799	\$ 170.2392	\$ 7,150.05	2.73%	11/17/2018	1078	\$ 0.53	\$ 582.13	\$ 7,742.17	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 8,824.98
55	McMahan	Floyd	4614 - GRINDER HARD SHAFTS	11/10/2018	43	\$ 18.5130	\$ 156.1040	\$ 6,712.47	2.73%	11/11/2018	1084	\$ 0.50	\$ 539.07	\$ 6,727.14	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,354.83
56	McMurray	Joyce	1828 - Sr. Accl. Administrator	11/21/2018	42	\$ 23.8358	\$ 189.0944	\$ 7,941.86	2.73%	11/22/2018	1073	\$ 0.59	\$ 654.57	\$ 8,598.54	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 9,678.96
57	Mullins	Jackie	4931 - LATHE SOFT SHAFTS	11/16/2018	42	\$ 14.5550	\$ 116.4400	\$ 4,890.48	2.73%	11/17/2018	1078	\$ 0.37	\$ 405.00	\$ 5,295.48	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 6,378.29
58	Mullins	Tommy	4831 - LATHE SOFT SHAFTS	11/10/2018	43	\$ 18.7420	\$ 149.9360	\$ 6,447.25	2.73%	11/11/2018	1084	\$ 0.48	\$ 538.98	\$ 6,984.23	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,067.51

Subclass 3  
Terminated without cause on their part after August 31, 2018.

Case No. 1:18-cv-00040-JPJ-PMS Messer et al v. Bissel Compressors International, LLC et al  
Summary of WARN Act Covered Employees  
As of July 31, 2018

Annual rate 2.73% compounded annually

	Last Name	First Name	Job Code	Term Date	Work Days	Rate of Pay	Pay Per Day	Daily Rate x Work Days	Interest Rate	Start Date	Days Through 10/29/2021	Daily Interest	2.42% Interest fr. start date - 10/29/2021	Total Interest & Payroll Claim	Stay Bonus Due	2.42% Interest fr. start date - 10/29/2021	Total Stay Bonus & Interest Due	Grand Total Due to Employees
59	Murray	Glean	4708 - CRANKCASE OPERATOR A	11/10/2018	43	\$ 21.5951	\$ 172.7608	\$ 7,428.71	2.73%	11/11/2018	1084	\$ 0.58	\$ 818.72	\$ 8,047.44	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,130.72
60	Norris	Brett	1907 - Process Supervisor	11/10/2018	43	\$ 25.0000	\$ 200.0000	\$ 8,800.00	2.73%	11/11/2018	1084	\$ 0.64	\$ 719.28	\$ 8,319.28	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 10,399.56
61	Nurley	Charles	4708 - CRANKCASE OPER G LINE	11/10/2018	43	\$ 21.9799	\$ 175.5332	\$ 7,591.08	2.73%	11/11/2018	1084	\$ 0.57	\$ 829.75	\$ 8,190.83	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,274.12
62	O'Inger	Jackie	2202 - SR. MAINT ENGINEER	11/21/2018	42	\$ 39.4231	\$ 315.3848	\$ 13,248.19	2.73%	11/22/2018	1073	\$ 0.99	\$ 1,091.74	\$ 14,337.91	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 15,420.33
63	O'Quinn	David	4800 - Process Lead	11/10/2018	43	\$ 25.6848	\$ 205.3184	\$ 8,828.69	2.73%	11/11/2018	1091	\$ 0.66	\$ 740.20	\$ 9,568.89	\$ 1,000.00	\$ 83.84	\$ 1,083.84	\$ 10,652.73
64	Orr	Dorothy	4614 - GRINDER HARD SHAFTS	11/10/2018	43	\$ 18.7090	\$ 149.8720	\$ 6,435.90	2.73%	11/11/2018	1084	\$ 0.48	\$ 538.03	\$ 6,973.93	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,055.22
65	Powers	Joy	1829 - Sr. Acct. Administrator	11/21/2018	42	\$ 23.3191	\$ 186.5528	\$ 7,835.22	2.73%	11/22/2018	1073	\$ 0.59	\$ 645.78	\$ 8,480.99	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 9,563.41
66	Richards	Larry	4708 - CRANKCASE OPERATOR A	11/10/2018	42	\$ 21.9136	\$ 175.3088	\$ 7,362.97	2.73%	11/11/2018	1078	\$ 0.55	\$ 608.76	\$ 7,971.73	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 9,055.54
67	Richardson	Branda	1901 - AP Administrator	11/21/2018	42	\$ 25.8026	\$ 206.4160	\$ 8,669.47	2.73%	11/22/2018	1073	\$ 0.88	\$ 714.53	\$ 9,384.01	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 10,466.43
68	Rivera	Jose	2138 - Enterprise System Manager	11/21/2018	42	\$ 48.7861	\$ 390.2888	\$ 16,392.13	2.73%	11/22/2018	1073	\$ 1.23	\$ 1,351.03	\$ 17,743.16	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 18,825.58
69	Rodefer	Randal	4613 - BORE OPERATOR CONROD	11/10/2018	42	\$ 23.6940	\$ 199.4720	\$ 7,957.82	2.73%	11/11/2018	1078	\$ 0.60	\$ 658.02	\$ 8,616.85	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 9,699.66
70	Saltz	Danny	4704 - Forklift and Tugger Operator	11/10/2018	42	\$ 20.9100	\$ 168.4800	\$ 6,982.18	2.73%	11/11/2018	1078	\$ 0.52	\$ 579.05	\$ 7,561.21	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 8,644.01
71	Soylerts	Karen	4523 - Valve Plate Assembly	11/10/2018	42	\$ 18.5399	\$ 150.7192	\$ 6,330.21	2.73%	11/11/2018	1078	\$ 0.47	\$ 524.23	\$ 6,854.44	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 7,937.25
72	Saxton	Bethany	2232 - MGR OF GENERAL ACCOUNTING	11/21/2018	42	\$ 39.2857	\$ 314.3656	\$ 13,203.36	2.73%	11/22/2018	1073	\$ 0.99	\$ 1,088.22	\$ 14,291.57	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 15,373.99
73	Saxton	Michael	4708 - CRANKCASE OPER G LINE	11/10/2018	43	\$ 20.4591	\$ 163.6728	\$ 7,037.93	2.73%	11/11/2018	1084	\$ 0.53	\$ 588.17	\$ 7,624.11	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 8,707.39
74	Shaw	Norma	2001 - EXECUTIVE ASSISTANT	11/21/2018	42	\$ 31.0026	\$ 248.6508	\$ 10,443.75	2.73%	11/22/2018	1073	\$ 0.76	\$ 860.77	\$ 11,304.52	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 12,386.94
75	Shaw	Rico	4556 - CHARGE LINE WELD II	11/10/2018	43	\$ 10.7651	\$ 85.1209	\$ 3,703.19	2.73%	11/11/2018	1084	\$ 0.28	\$ 306.43	\$ 4,011.53	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 5,094.81
76	Smithson	Roger	2071 - Associate Engineer	11/21/2018	42	\$ 30.2885	\$ 242.3080	\$ 10,178.94	2.73%	11/22/2018	1073	\$ 0.76	\$ 838.78	\$ 11,015.72	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 12,098.14
77	Steak	Michael	1926 - IS DATA COLLECTION SYSTEMS	11/21/2018	42	\$ 32.6359	\$ 261.0972	\$ 10,965.65	2.73%	11/22/2018	1073	\$ 0.82	\$ 903.79	\$ 11,869.45	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 12,951.87
78	Stinner	Pamela	2175 - Infrastructure Tech Manager	11/21/2018	42	\$ 34.6678	\$ 277.3408	\$ 11,645.31	2.73%	11/22/2018	1073	\$ 0.87	\$ 950.05	\$ 12,600.36	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 13,682.78
79	Stout	Jamie	4708 - CRANKCASE OPERATOR A	11/10/2018	43	\$ 21.5950	\$ 172.7600	\$ 7,428.69	2.73%	11/11/2018	1084	\$ 0.56	\$ 616.72	\$ 8,047.40	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,130.69
80	Sullins	Robert	4807 - MAINTENANCE A	11/10/2018	42	\$ 25.6001	\$ 204.8008	\$ 8,901.63	2.73%	11/11/2018	1078	\$ 0.84	\$ 712.34	\$ 9,313.97	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 10,396.79
81	Thomas	Timothy	4749 - SMALL ASSEMBLY CELL	11/10/2018	42	\$ 22.4322	\$ 178.4578	\$ 7,537.22	2.73%	11/11/2018	1078	\$ 0.56	\$ 624.19	\$ 8,161.41	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 9,244.22
82	Watts	Alison	4704 - Forklift and Tugger Operator	11/10/2018	42	\$ 22.4383	\$ 179.5064	\$ 7,539.27	2.73%	11/11/2018	1078	\$ 0.56	\$ 624.36	\$ 8,163.63	\$ 1,000.00	\$ 82.81	\$ 1,082.81	\$ 9,246.44
83	Wampler	Jeffery	4631 - LATHE SOFT SHAFTS	11/10/2018	43	\$ 22.5400	\$ 186.3200	\$ 7,753.76	2.73%	11/11/2018	1084	\$ 0.58	\$ 645.79	\$ 8,399.55	\$ 1,000.00	\$ 83.29	\$ 1,083.29	\$ 9,482.84
84	Weston	Christopher	2023 - MANUFACTURING ENGINEER	11/21/2018	42	\$ 45.0001	\$ 360.7208	\$ 15,150.27	2.73%	11/22/2018	1073	\$ 1.13	\$ 1,248.88	\$ 16,399.95	\$ 1,000.00	\$ 82.42	\$ 1,082.42	\$ 17,481.37

\* All employees listed terminated due to workforce reduction

Total Owed \$ 741,005.05

\$ 61,571.92 \$ 602,577.68

\$ 8,879.59 \$ 90,476.59 \$ 893,557.45